

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

H&R BLOCK, INC. and
HRB INNOVATIONS, INC.

Plaintiffs,

v.

BLOCK, INC.

Defendant.

Case No. 4:21-cv-00913-NKL

**DECLARATION OF MARISSA MacANENEY IN SUPPORT OF PLAINTIFFS' REPLY
IN SUPPORT OF MOTION FOR A PRELIMINARY INJUNCTION**

I, Marissa MacAneney, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of New York, admitted to the Western District of Missouri *pro hac vice*. I am an associate at the law firm of Debevoise & Plimpton LLP. I am over the age of 18 and competent to testify.

2. I submit this declaration in support of Plaintiffs' reply brief in support of the motion of H&R Block, Inc. and HRB Innovations, Inc. for a preliminary injunction against Defendant Block, Inc. This declaration is based on my personal knowledge, information, and belief.

3. Attached as Exhibit A to this declaration is a true and correct copy of a table prepared under my supervision which shows the marks cited in Exhibit L to the Declaration of Professor Ravi Dhar, labeled "Selected Examples of BLOCK-Formative Registered Trademarks," and dated January 12, 2022. The table attached as Exhibit A, unlike the table in Professor Dhar's Exhibit L, includes the mark's owner's name, the international class or classes

for which the mark is registered in, the goods and services for which each mark is registered for, and the status of the mark. This information is publicly available. Each listed mark from Professor Dhar's Exhibit L was searched on the United States Patent and Trademark Office's ("USPTO") Trademark Electronic Search System, available at https://tmsearch.uspto.gov/bin/gate.exe?f=login&p_lang=english&p_d=trmk, and the information from the search results was copied and compiled into the table in Exhibit A. These are facts readily determined from sources whose accuracy cannot reasonably be questioned and as such the court can take judicial notice of these USPTO records under Federal Rule of Evidence 201.

4. Attached as Exhibit B to this declaration is a true and correct copy of a table prepared under my supervision which shows the marks cited in Exhibit N to the Declaration of Professor Ravi Dhar, labeled "Selected Examples of Green Square Registered Trademarks," and dated January 12, 2022. The table attached as Exhibit B, unlike the table in Professor Dhar's Exhibit N, includes the mark's owner's name, the international class or classes for which the mark is registered in, the goods and services for which each mark is registered for, and the status of the mark. This information is publicly available. Each listed mark from Professor Dhar's Exhibit N was searched on the USPTO's Trademark Electronic Search System, available at https://tmsearch.uspto.gov/bin/gate.exe?f=login&p_lang=english&p_d=trmk, and the information from the search results was copied and compiled into the table in Exhibit B. These are facts readily determined from sources whose accuracy cannot reasonably be questioned and as such the court can take judicial notice of these USPTO records under Federal Rule of Evidence 201.

[signature page follows]

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Wantagh, New York on this 21st day of January, 2022.

/s/ Marissa MacAneney
Marissa MacAneney